## UNITED STATES DISTRICT COURT FOR THE DISTRICT OF MASSACHUSETTS

JOHN HANCOCK LIFE INSURANCE COMPANY, et al.,	)	
Plaintiffs/counter-defendants,	)	
VS.	)	CIVIL ACTION NO. 03-12501-DPW
ABBOTT LABORATORIES,	)	
Defendant/counter-plaintiff.	) ) )	

## **NOTICE OF APPEAL**

Notice is hereby given that Abbott Laboratories, defendant/counter-plaintiff in the above-named case, hereby appeals to the United States Court of Appeals for the First Circuit from the Final Judgment And Declaration and Memorandum And Order, both entered in this action on the 16th day of September, 2005 (a partially-redacted form of the Memorandum And Order having been placed in the record on September 21, 2005).

/s/ Michael S. D'Orsi Counsel for Abbott Laboratories

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Dated: October 14, 2005